

*Exhibit*

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**000004**

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RENALDO NAVARRO

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

RENALDO NAVARRO,

Plaintiff,

vs.

MENZIES AVIATION, INC., doing  
business as MENZIES and DOES 1 through  
10, inclusive.

Defendants.

**Case No.: 3:19-cv-08157 VC**

**DECLARATION OF RENALDO NAVARRO  
IN SUPPORT OF PLAINTIFF'S  
OPPOSITION TO SUMMARY JUDGMENT**

Date: November 19, 2020  
Time: 10:00 a.m.  
Place: video conference link

Hon. Vince Chhabria  
San Francisco Courthouse  
Courtroom 4 – 17th Floor

Action Removed: December 16, 2019  
Action Filed: October 23, 2019

1 I, Renaldo Navarro, have personal knowledge of the matters stated herein and if called  
2 upon as a witness, I would competently testify as follows:

3 1. I am the Plaintiff in this matter.

4 2. I add this declaration to the testimony I have provided during my deposition.

5 3. In August 2018, my estimate is that in Mr. Dodge's swing shift as the Fueling  
6 Supervisor at Menzies Aviation, he was supervising about 10-12 Fuelers. Of these Fuelers about  
7 7-8 are Filipino. In my shift, I usually supervised his 10-12 Fuelers and from 1:00 a.m. to 6:00  
8 a.m. I supervised 4-5 Fuelers, 2 of which are Filipinos. Between 5:00 a.m. to 6:00 a.m. I then  
9 supervised an additional 8 Fuelers, all of whom are Filipinos.

10 4. During my tenure both at ASIG and MENZIES, I loved my job. I treated my job  
11 with respect and pride. I tried to help people and knew the importance of my role at the airport,  
12 as well as with the airlines. This was my way of life and how I contributed to society.

13 5. When Andrew Dodge was promoted to supervisor, I tried to assist him just like  
14 any other new supervisor before him. We gave him the benefit of our training and experience.  
15 We treated him as part of the team.

16 6. It was only because of the way he treated other people and how he acted around  
17 Filipino fuelers that the workplace began to deteriorate. Mr. Dodge kept missing flights, and the  
18 health and safety of the Fuelers was of concern of mine. They were working hard and they were  
19 missing breaks.

20 7. I tried to work with Mr. Dodge before I had to raise the concern with upper  
21 management. We tried to communicate with him as to how his work and attitude was affecting  
22 others. I was in constant communication with John Qually about the performance and attitude of  
23 Mr. Dodge. Somehow, Mr. Qually kept ignoring the issue.

24 8. He would use the flashlight and the truck lighting against Filipino fuelers acting  
25 as if he was an ICE agent at the airport.

26 9. Often when the Filipino fuelers were already over worked, he would force  
27 additional flights on them even when the fuelers were already over booked. He would punish the  
28 fuelers if they did not agree with him. He did not do such to Fuelers who were of Caucasian or

1 African American descent.

2           10. Several times between 2017 and 2018, fuelers would come to me as the shift  
3 supervisor telling me that Mr. Dodge acted unprofessionally with them, bullying them or acting  
4 as if he would physically intimidate them. For example, Dodge once bullied Lodrino Samonte  
5 (Filipino fueler) forcing him to engage in an operation that Mr. Samonte was not certified for.  
6 Mr. Samonte was afraid and told by Mr. Dodge that he would lose his job. Mr. Samonte was  
7 advised that he needed to follow Mr. Dodge despite the fact that he was not certified.

8           11. Until my separation from Menzies, I never received the employment handbook,  
9 nor the Code of Conduct.

10           12. I believe that Mr. Dodge was promoted too soon. He only had one year of service  
11 as a fueler. Other Filipino fuelers with more years of service were available for that position.  
12 Jezen Canlas, July Macapagal, Marc Ilagan, Primo de la Cruz and Ryan Quinsao are some  
13 examples.

14           13. When I complained to Renil Lal and John Qually about Mr. Dodge, between 2017  
15 and 2018, I would complain about the way Mr. Dodge treated Filipino fuelers. It got to the point  
16 that the fuelers were very upset with Mr. Dodge. I was trying to appease the fuelers and was  
17 asking for help from management. I was clear to management that the Filipino fuelers were  
18 feeling like they were being harassed and treated differently by Mr. Dodge. Such treatment  
19 resulted in them being overworked, humiliated, unhealthy working conditions and safety  
20 concerns. I did not understand why management was ignoring my communications and  
21 complaint.

22           14. I signed petition but did not force others to sign. I was asked to deliver the petition  
23 to management. Of the 26 people who signed, 17 are Filipinos.

24           15. After giving the petition to Raul Vargas at about 4 to 5 p.m. on or about August  
25 22, 2018, the next morning at about 5 a.m., I was told by John Qually to wait for Raul Vargas.  
26 About an hour later, Mr. Vargas arrived and told me that I was being suspended pending an  
27 investigation.  
28

1           16. Kevin Blumberg was also present that morning. Raul Vargas explained to me that  
2 signing the petition and siding with the fuelers was not appropriate. Mr. Blumberg added that I  
3 need to make a statement conceding that I will not do this again.

4           17. Mr. Vargas and Mr. Blumberg did not allow me explain the situation. They did  
5 not ask many questions. They were just there to let me know that I was suspended. They did not  
6 ask to hear my side or what the fuelers were complaining of. The whole meeting lasted about 3-  
7 5 minutes. Aside from this interaction, there were no other meetings, phones calls nor interviews  
8 about the petition or the working conditions created by Dodge.

9           18. With regards to the text that I sent to Mr. Dodge, my attorney has shown me again,  
10 what is MENZIES 000088, my intention on that August 13, 2018, text is to tell Dodge that I have  
11 the petition and had been giving him time to change, that I have not submitted the petition yet.  
12 He was complaining in a previous text as to me being a bad supervisor for calling in sick. That  
13 was my response.

14           19. About one week later, August 30, 2018, Tracy Aguilera asked me to go to her  
15 office where she informed me that I was terminated. Thirteen years of service came to an end. It  
16 pained me so much and caused me so much anxiety.

17           20. Since I was fired from Menzies I have really pondered long and hard what mistake  
18 I have committed. I cannot think of any. I have offered nothing but loyalty and hard work; the  
19 company that had been part of my life and lifestyle. Signing the petition that, in my mind, will  
20 help Menzies appreciate and understand what was going on in the field. The injustices that the  
21 employees were suffering from Dodge. I signed the petition not to fight Menzies but to bring to  
22 Menzies attention to Dodge's wrongdoings and to protect Menzies, the Company I have learned  
23 to love and hope to retire from.

24           21. Since I was fired, I suffered mental anguish, anxiety, pondering what I did wrong  
25 to the Company. I could not sleep and eat because of what had happened to me. I cannot stop  
26 thinking about it. I was kicking myself for signing the petition. However, I felt that my team was  
27 suffering injustice and were being maltreated by Dodge, and it hurt me to my core.

28           22. As a result of the anxiety and stress, I have to see a Doctor to help me overcome



1 the stress and the anxiety. I was over 40 years old when I was fired and kept thinking where to  
2 look and how to find a job. I was anxious and stressed thinking about the bills, the house rent,  
3 how to pay bills and how to support my family. I was very anxious and did not know what to do.  
4 I experienced more than a year of hardship. After over a year, I found some odd jobs at the  
5 airport.

6 23. Until now it still enters my mind why I was fired especially now with the pandemic  
7 and I just rely from unemployment. Until now I still think about what Menzies has done to me.  
8 Until now, I still ask myself if signing that petition was worth it. I told them even back then that  
9 if that is what they believe I should do, I won't do it again. I thought I was doing the company a  
10 good thing by bring up the bad that Dodge was doing to the company.

11 I declare under penalty of perjury under the laws of the United States and in the State of  
12 California that the foregoing is true and correct.

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16 Renaldo Navarro

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Date